



S&H Form: (2/01)
Docket No.: 1349.1268

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Su-jong Jeong

Serial No. 10/693,939

Group Art Unit: 2852

Confirmation No. 4310

Filed: October 28, 2003

Examiner: Susan Lee

**FOR: METHOD OF DETECTING LIFESPAN OF TRANSFER ROLLER AND
ELECTROPHOTOGRAPHIC IMAGE FORMING APPARATUS EMPLOYING THE METHOD**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed October 11, 2005.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner discussed claims 12-22 and refers to a comparing "step" of the surrounding condition. However, independent claim 12 does not recite a "step." The discussion of claim 27 states that "[t]he actual surrounding condition is determined from a resistance of the transfer roller." However, it is noted that claim 27 recites that the reference surrounding condition is determined from a resistance of the transfer roller.

Furthermore, it is submitted that discussion of only certain features of the claims in the reasons for allowance is improper in that it provides emphasis which might "place unwarranted



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interpretations, whether broad or narrow, upon the claims" (M.P.E.P. §1302.14).


It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

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Date: 1-10-06

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